

MAIN OCT 28 2002

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR COUNTY INITIATED AGRICULTURAL PRESERVE AREA NOTES AMENDMENT: 02-84 NOTE 1 (AGR NOTE 1), MODIFYING PAGE 84 OF THE FLUA BY NOTING A PARCEL OF LAND APPROXIMATELY 30.0 ACRES, GENERALLY LOCATED ON REDBIRD LANE, EAST OF THE L-40 LEVEE, WEST OF STATE ROAD 7, AND NORTH OF BOYNTON BEACH BOULEVARD AS AN AGRICULTURAL PRESERVE AREA; 02-84 NOTE 2 (AGR NOTE 2), MODIFYING PAGE 84 OF THE FLUA BY NOTING A PARCEL OF LAND APPROXIMATELY 90.0 ACRES, GENERALLY LOCATED ON OSPREY POND LANE, EAST OF THE L-40 LEVEE, WEST OF STATE ROAD 7, AND NORTH OF BOYNTON BEACH BOULEVARD AS AN AGRICULTURAL PRESERVE AREA; 02-97 NOTE 1 (AGR NOTE 3) MODIFYING PAGE 97 OF THE FLUA BY NOTING A PARCEL OF LAND APPROXIMATELY 623.97 ACRES, GENERALLY LOCATED ALONG AND WEST OF STATE ROAD 7, EAST OF LOXAHATCHEE REFUGE, NORTH OF ATLANTIC AVENUE, AND SOUTH OF BOYNTON BEACH BOULEVARD AS AN AGRICULTURAL PRESERVE AREA; 02-93 NOTE 1 (AGR NOTE 4) MODIFYING PAGE 93 OF THE FLUA BY NOTING A PARCEL OF LAND APPROXIMATELY 310.59 ACRES, GENERALLY LOCATED ALONG AND EAST OF STATE ROAD 7, WEST OF THE FLORIDA TURNPIKE, NORTH OF ATLANTIC AVENUE, AND SOUTH OF BOYNTON BEACH AS AN AGRICULTURAL PRESERVE AREA; 02-98 NOTE 1 (AGR NOTE 5) MODIFYING PAGE 98 OF THE FLUA BY NOTING A PARCEL OF LAND APPROXIMATELY 949.51 ACRES, GENERALLY LOCATED ALONG AND EAST OF STATE ROAD 7, WEST OF THE FLORIDA TURNPIKE, NORTH OF ATLANTIC AVENUE, AND SOUTH OF BOYNTON BEACH BOULEVARD AS AN AGRICULTURAL PRESERVE AREA; 02-98 NOTE 2 (AGR NOTE 6) MODIFYING PAGE 98 OF THE FLUA BY NOTING A PARCEL OF LAND APPROXIMATELY 172.06 ACRES, GENERALLY LOCATED ALONG AND WEST OF FLORIDA TURNPIKE, NORTH OF ATLANTIC AVENUE, AND SOUTH OF BOYNTON BEACH BOULEVARD AS AN AGRICULTURAL PRESERVE AREA; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

47 **WHEREAS**, on August 31, 1989, the Palm Beach County Board of
48 County Commissioners adopted the 1989 Comprehensive Plan by Ordinance
49 No. 89-17; and

50 **WHEREAS**, the Palm Beach County Board of County Commissioners
51 amends the 1989 Comprehensive Plan as provided by Chapter 163, Part
52 II, Florida Statutes; and

53 **WHEREAS**, the Palm Beach County Board of County Commissioners have
54 initiated amendments to several elements of the Comprehensive Plan in
55 order to promote the health, safety and welfare of the public of Palm
56 Beach County; and

57 **WHEREAS**, the Palm Beach County Local Planning Agency conducted
58 its public hearings on February 22, March 1 and March 8, 2002 to

1 review the proposed amendments to the Palm Beach County Comprehensive
2 Plan and made recommendations regarding the proposed amendments to the
3 Palm Beach County Board of County Commissioners pursuant to Chapter
4 163, Part II, Florida Statutes; and

5 **WHEREAS**, the Palm Beach County Board of County Commissioners, as
6 the governing body of Palm Beach County, conducted a public hearing
7 pursuant to Chapter 163, Part II, Florida Statutes, on April 8, 2002
8 to review the recommendations of the Local Planning Agency, whereupon
9 the Board of County Commissioners authorized transmittal of proposed
10 amendments to the Department of Community Affairs for review and
11 comment pursuant to Chapter 163, Part II, Florida Statutes; and

12 **WHEREAS**, Palm Beach County received on July 1, 2002 the
13 Department of Community Affairs "Objections, Recommendations, and
14 Comments Report," dated June 28, 2002 which was the Department's
15 written review of the proposed Comprehensive Plan amendments; and

16 **WHEREAS**, the written comments submitted by the Department of
17 Community Affairs contained no objections to the amendments contained
18 in this ordinance;

19 **WHEREAS**, on August 28, 2002 the Palm Beach County Board of County
20 Commissioners held a public hearing to review the written comments
21 submitted by the Department of Community Affairs and to consider
22 adoption of the amendments; and

23 **WHEREAS**, the Palm Beach County Board of County Commissioners has
24 determined that the amendments comply with all requirements of the
25 Local Government Comprehensive Planning and Land Development
26 Regulations Act.

27 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
28 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

29 **Part I. Amendments to the Future Land Use Atlas of the Land Use
30 Element of the 1989 Comprehensive Plan**

31 The following amendment to the Land Use Element's Future Land Use
32 Atlas is hereby adopted and is attached to this Ordinance:

33 **A. Future Land Use Atlas page 84 is amended as follows:**

34 **Application No.: 02-84 Note 1 (AGR Note 1)**

35 **Amendment:** Identify as an Agricultural Preserve Area;

36 **General Location:** Redbird Lane, east of the L-40 levee, west

of State Road 7, and north of Boynton Beach Boulevard;

Size: Approximately 30.0 acres;

B. Future Land Use Atlas page 84 is amended as follows:

Application No.: 02-84 Note 2 (AGR Note 2)

Amendment: Identify as an Agricultural Preserve Area;

General Location: Osprey Pond Lane, east of the L-40 levee,
west of State Road 7, and north of Boynton

Beach Boulevard;

Size: Approximately 90.0 acres;

C. Future Land Use Atlas page 97 is amended as follows:

Application No.: 02-97 Note 1 (AGR Note 3)

Amendment: Identify as an Agricultural Preserve Area;

General Location: Along and west of State Road 7, east of
Loxahatchee Refuge, north of Atlantic
Avenue, and south of Boynton Beach
Boulevard;

Approximately 623.97 acres;

D. Future Land Use Atlas page 93 is amended as follows:

Application No.: 02-93 Note 1 (AGR Note 4)

Amendment: Identify as an Agricultural Preserve Area;

General Location: Along and east of State Road 7, west of the Florida Turnpike, north of Atlantic Avenue, and south of Boynton Beach Boulevard;

Size: Approximately 310.59 acres;

E. Future Land Use Atlas page 98 is amended as follows:

Application No.: 02-98 Note 1 (AGR Note 5)

Amendment: Identify as an Agricultural Preserve Area;

General Location: Along and east of State Road 7, west of the Florida Turnpike, north of Atlantic Avenue, and south of Boynton Beach Boulevard;

Size: Approximately 949.51 acres;

1 E. Future Land Use Atlas page 98 is amended as follows:

2 Application No.: 02-98 Note 2 (AGR Note 6)

3 Amendment: Identify parcel as an Agricultural Preserve
4 Area;

5 General Location: Along and west of Florida Turnpike, north
6 of Atlantic Avenue, and south of Boynton
7 Beach Boulevard;

8 Size: Approximately 172.06 acres;

9 Part II. Repeal of Laws in Conflict

10 All local laws and ordinances applying to the unincorporated area
11 of Palm Beach County in conflict with any provision of this ordinance
12 are hereby repealed to the extent of such conflict.

13 Part III. Severability

14 If any section, paragraph, sentence, clause, phrase, or word of
15 this Ordinance is for any reason held by the Court to be
16 unconstitutional, inoperative or void, such holding shall not affect
17 the remainder of this Ordinance.

18 Part IV. Inclusion in the 1989 Comprehensive Plan

19 The provision of this Ordinance shall become and be made a part
20 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
21 Ordinance may be renumbered or relettered to accomplish such, and the
22 word "ordinance" may be changed to "section," "article," or any other
23 appropriate word.

24 Part V. Effective Date

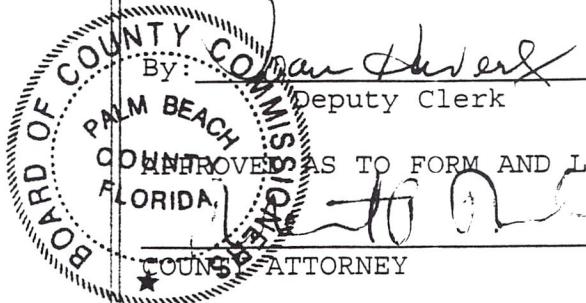
25 The effective date of this plan amendment shall be the date a
26 final order is issued by the Department of Community Affairs or
27 Administration Commission finding the amendment in compliance in
28 accordance with Section 163.3184, Florida Statutes, whichever occurs
29 earlier. No development orders, development permits, or land uses
30 dependent on this amendment may be issued or commence before it has
31 become effective. If the Administration Commission issues a final
32 order of noncompliance, this amendment may nevertheless be made
33 effective by adoption of a resolution affirming its effective status,

1 a copy of which resolutions shall be sent to the Department of
2 Community Affairs, Bureau of Local Planning, 2555 Shumard Oak
3 Boulevard, Tallahassee, Florida 32399-2100.

4 APPROVED AND ADOPTED by the Board of County Commissioners of
5 Palm Beach County, on the 28 day of August, 2002.

6 ATTEST:
7 DOROTHY H. WILKEN, Clerk

8 PALM BEACH COUNTY, FLORIDA,
9 BY ITS BOARD OF COUNTY COMMISSIONERS



18 Filed with the Department of State on the 3 day
19 of September, 2002.

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25 T:\Planning\AMEND\02-1\admin\bccadopt\Ordinances\Ag Preserve-ord.doc

EXHIBIT 1

A. Future Land Use Atlas page 84 is amended as follows:

Amendment No.: 02-84 Note 1 (AGR Note 1)

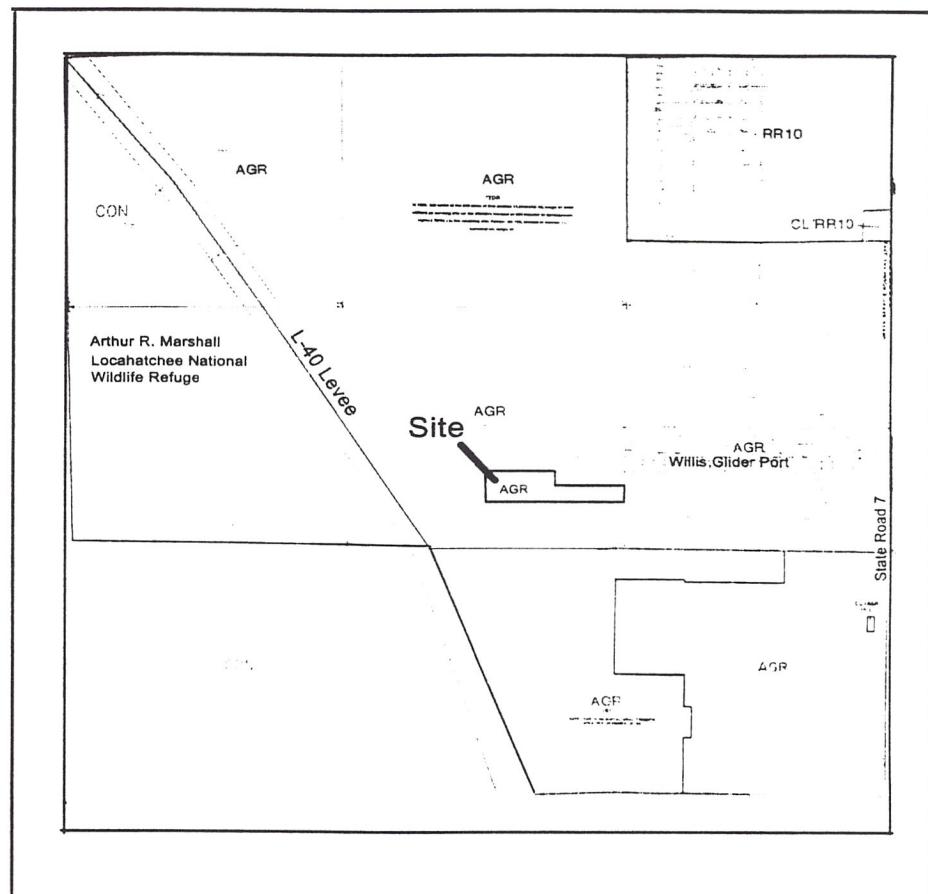
Amendment: Identify as an Agricultural Preserve Area

Location: Redbird Lane, east of the L-40 levee, west of State Road 7, and north of Boynton Beach Blvd.

Size: 30.0 acres

Property No.: 00-41-45-14-00-000-5030

Formerly Known As: Miller Property



B. Future Land Use Atlas page 84 is amended as follows:

Amendment No.: 02-84 Note 2 (AGR Note 2)

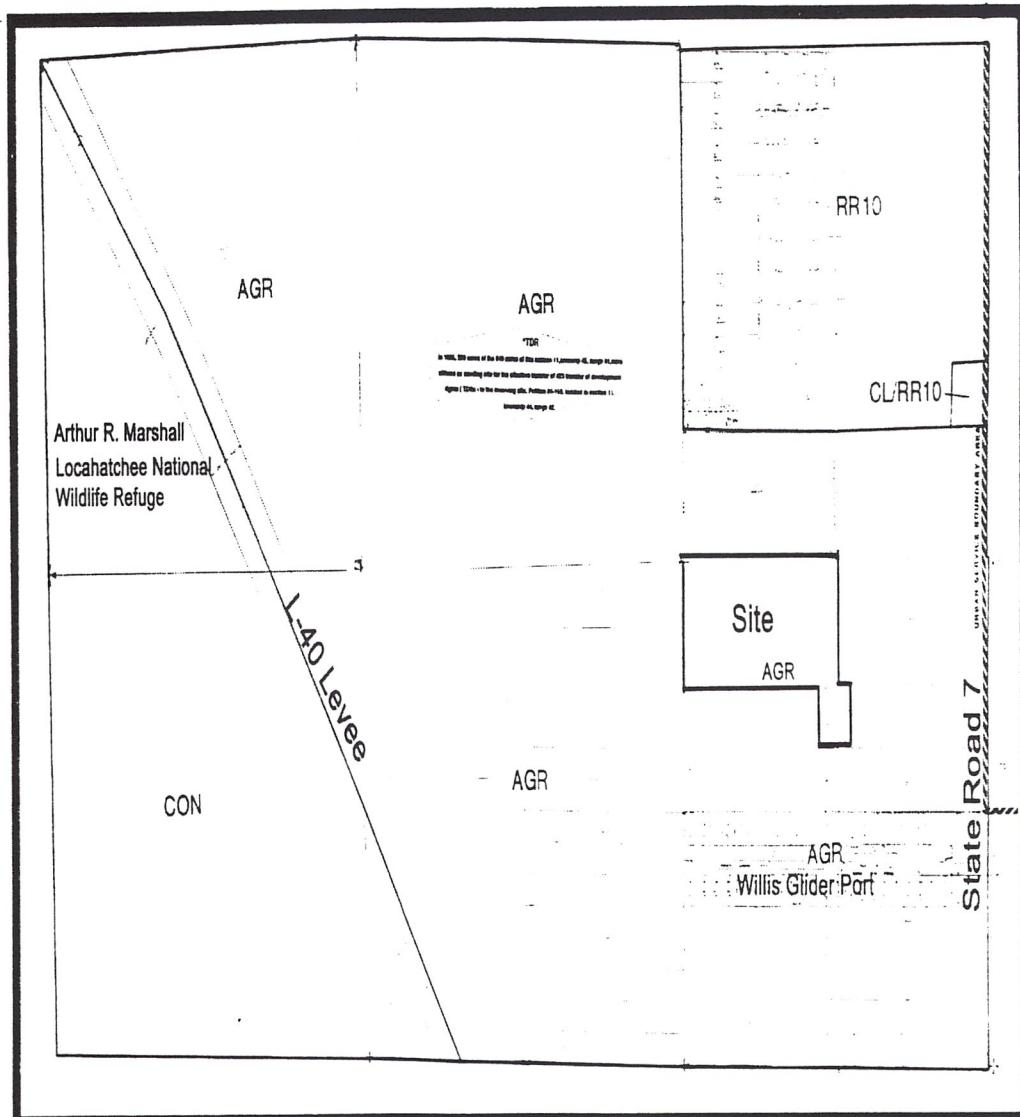
Amendment: Identify as an Agricultural Preserve Area

Location: Osprey Pond Lane, east of the L-40 levee, west of State Road 7, and north of Boynton Beach Blvd.

Size: 90.0 acres

Property No.: 00-41-45-13-00-000-1040, 3000, 3050 & 3060

Formerly Known As Bedner West Property



C. Future Land Use Atlas page 97 is amended as follows:

Amendment No.: 02-97 Note 1 (AGR Note 3)

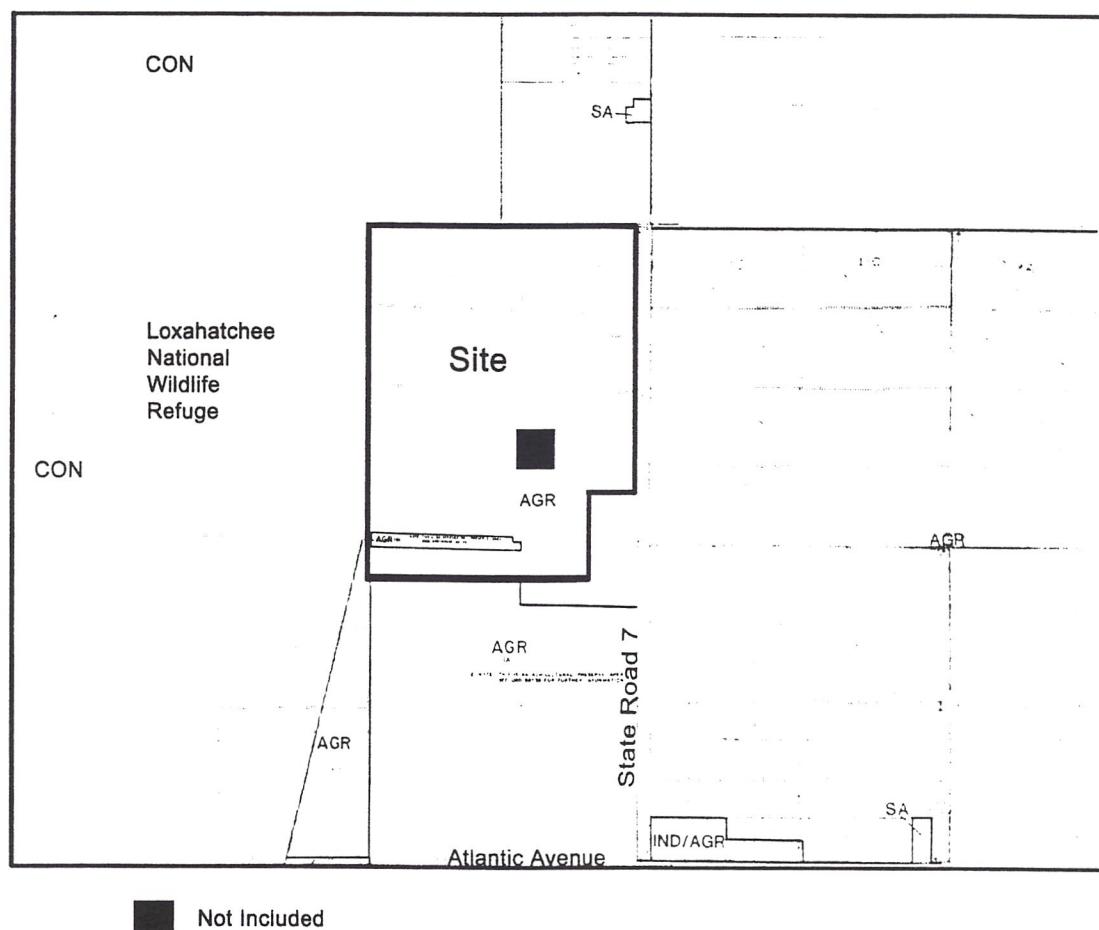
Amendment: Identify parcel as an Agricultural Preserve Area

Location: Along and west of State Road 7, east of Loxahatchee Refuge, north of Atlantic Avenue, and south of Boynton Beach Blvd.

Size: 623.97 acres

Property No.: 00-41-46-13-00-000-1030 and 00-42-43-27-05-065-0010

Formerly Known As McMurrain Property



D. Future Land Use Atlas page 93 is amended as follows:

Amendment No.: 02-93 Note 1 (AGR Note 4)

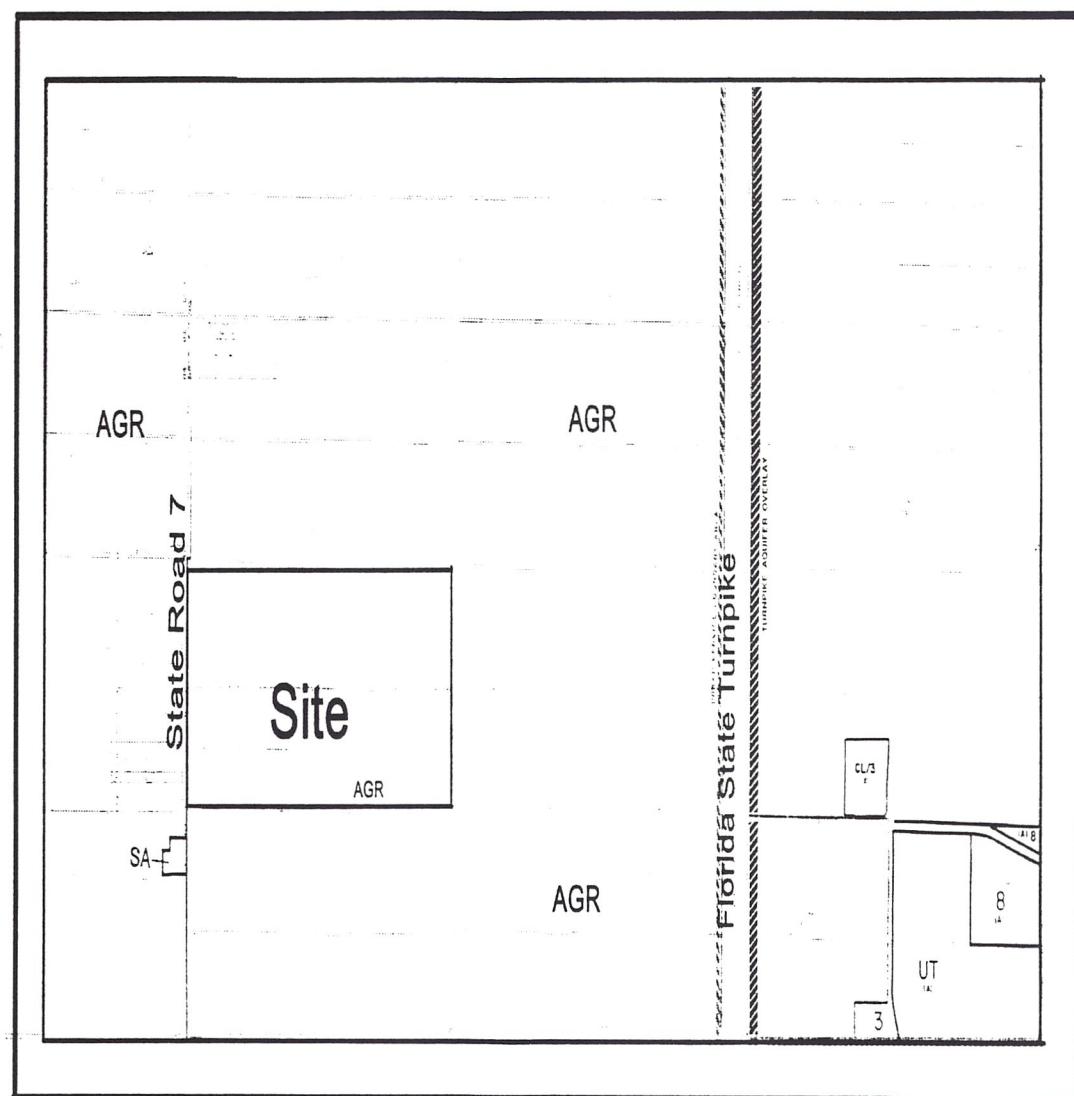
Amendment: Identify as an Agricultural Preserve Area

Location: Along and east of State Road 7, west of the Florida Turnpike, north of Atlantic Avenue, and south of Boynton Beach Blvd.

Size: 310.59 acres

Property No.: 00-42-43-27-05-062-0010, 0090, 0010, 0250 and 0330

Formerly Known As York Property



E. Future Land Use Atlas page 98 is amended as follows:

Amendment No.: 02-98 Note 1 (AGR Note 5)

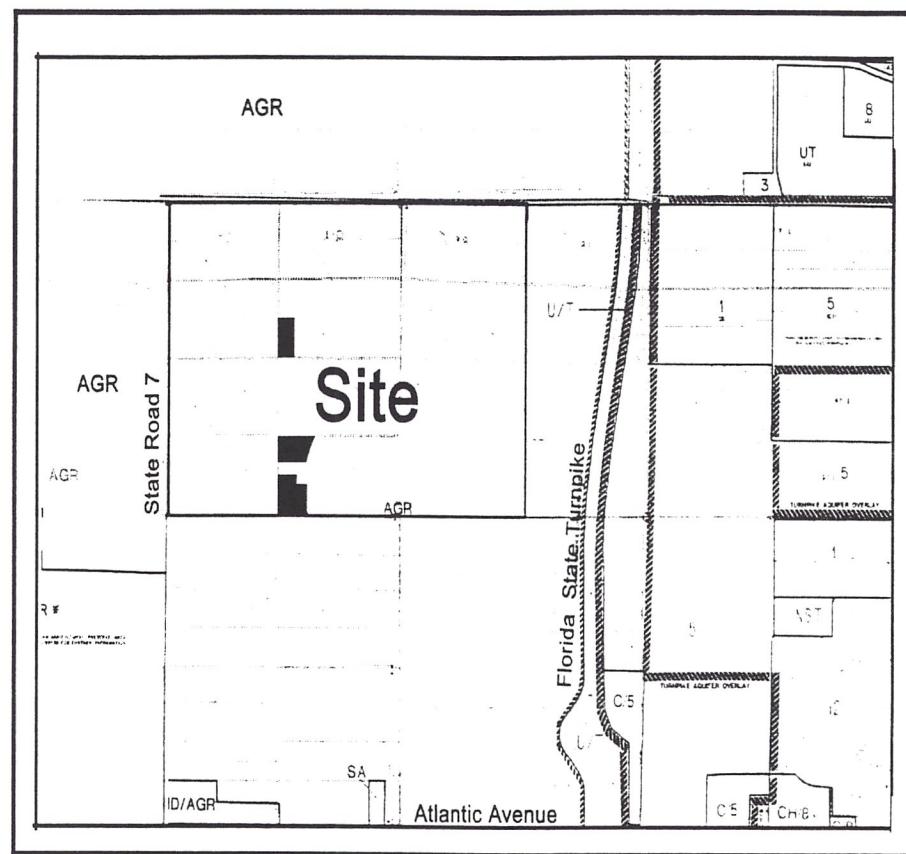
Amendment: Identify as an Agricultural Preserve Area

Location: Along and east of State Road 7, west of the Florida Turnpike, north of Atlantic Avenue, and south of Boynton Beach Blvd.

Size: 949.51 acres

Property No.: 00-42-46-07-01-000-0010 and 0090 and 00-42-46-08-01-000-0090

Formerly Known As Bowman Property



■ Not Included

F. Future Land Use Atlas page 98 is amended as follows:

Amendment No.: 02-98 Note 2 (AGR Note 6)

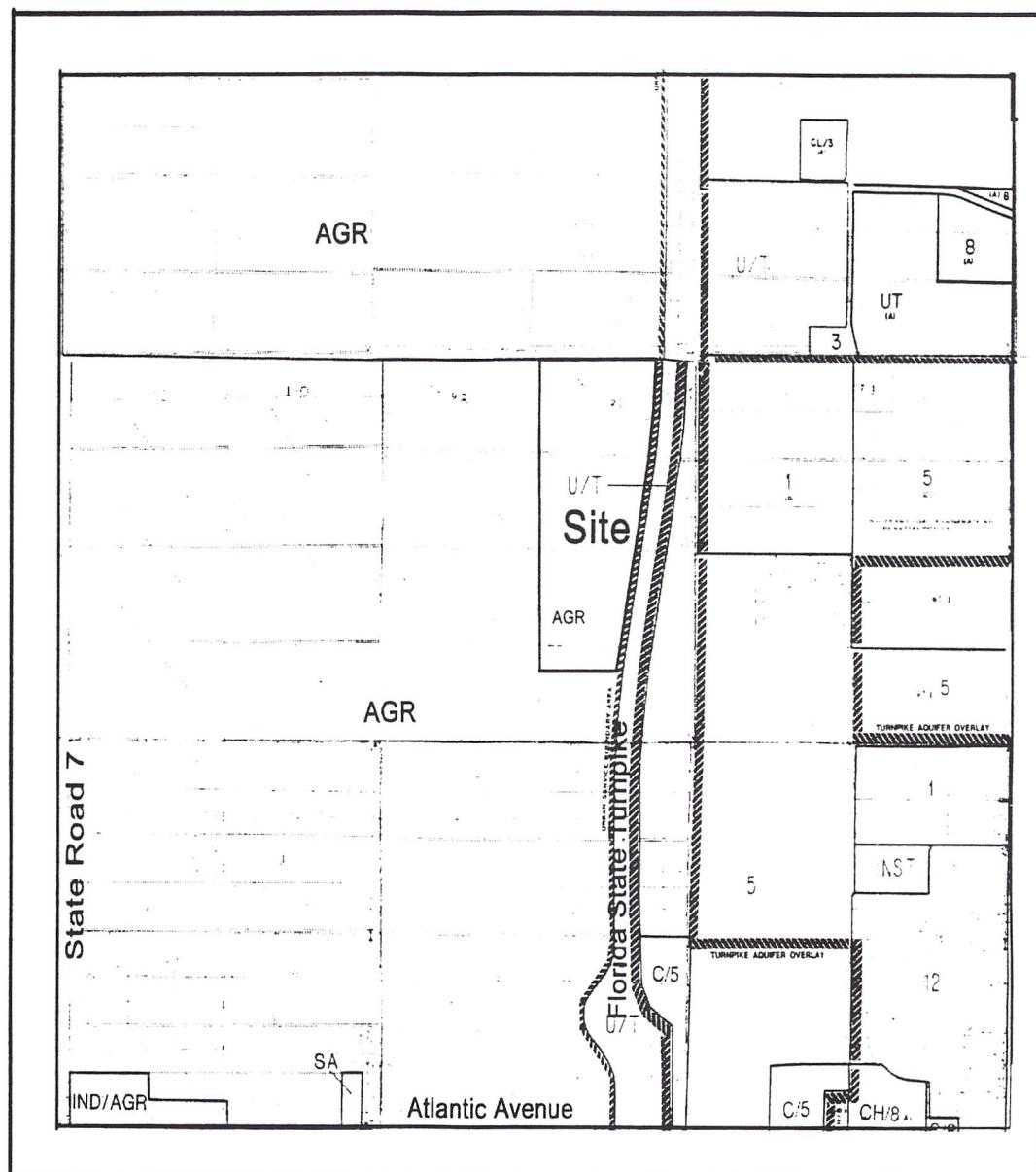
Amendment: Identify as an Agricultural Preserve Area

Location: Along and west of Florida Turnpike, north of Atlantic Avenue, and south of Boynton Beach Blvd.

Size: 172.06 acres

Property No.: 00-42-46-08-01-000-0020 and 0670

Formerly Known As Bedner East Property



STATE OF FLORIDA, COUNTY OF PALM BEACH
 I, DOROTHY H. WILKEN, ex-officio Clerk of the
 Board of County Commissioners certify this to be a
 true and correct copy of the original filed in my office
 on August 28, 2003
 DATED at West Palm Beach, FL on 10/10/02
 DOROTHY H. WILKEN, Clerk
 By: Wiane Brown D.C.